

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

THE UNITED STATES OF AMERICA

v.

CR. NO. 3: 11CR229-1 (FAB)

ALEXIS D. NEGRON-CRUZ

MOTION IN COMPLIANCE WITH COURT ORDER (DKT. 565)

COMES NOW, JOSE LOZADA, SENIOR U.S. PROBATION OFFICER of this Honorable Court, informing as follows:

On February 3, 2025, AFPD Kevin Lerman filed a motion under docket number 564, requesting the Court, in summary, to vacate the order allowing the destruction of Mr. Negron-Cruz's property, as cited on motion filed by the Probation Officer under docket entry 562.

On January 30, 2025, this Court ordered the undersigned to respond to Mr. Negron-Cruz's motion, which challenges the legal authority supporting our request to dispose of his seized mobile devices. The authority of U.S. Probation Officers to act in such matters is derived from the guidance and approval of the Court. The effective supervision of individuals on supervised release is directly tied to the conditions set forth in the judgment at sentencing. Any action beyond the scope of these conditions requires the Court's review and determination.

As a matter of standard practice, our office seeks the Court's guidance whenever contraband, or evidence seized pursuant to a search condition requires disposal. In this case, our request to dispose of the seized mobile devices was based on several factors: (1) there are no pending legal matters involving Mr. Negron-Cruz within our office's jurisdiction; (2) at the time of our request, we had not identified a suitable third party to whom the devices could be transferred

with assurance that they would not be returned to Mr. Negron-Cruz without our knowledge; and
(3) Mr. Negron-Cruz's legal case is currently pending before an appellate court.

Mr. Negron-Cruz is presently serving a 24-month term of imprisonment, with an expected release date of September 22, 2025. Upon release, he will begin a 268-month term of supervised release under the same special conditions previously imposed, including compliance with internet restrictions and monitoring.

However, in light of defense counsel's motion, we do not object to the return of Mr. Negron-Cruz's property to a designated third party, as approved by the Court.

WHEREFORE, it is respectfully requested that the Court takes notice of the aforementioned information for the appropriate action.

San Juan, Puerto Rico, February 12, 2025.

RESPECTFULLY SUBMITTED,

LUIS O. ENCARNACION
Chief U.S. Probation Officer

s/ Jose Lozada
Jose Lozada
Senior U.S. Probation Officer
United States Probation Office
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CERTIFICATE OF SERVICE

I certify that on this day, I electronically filed this motion with the Clerk of Court using the CM/ECF system, which will send notification of the filing to the parties.

San Juan, Puerto Rico, February 12, 2025.

s/ Jose Lozada

Jose Lozada

Senior U.S. Probation Officer